

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, February 23, 2016

9:00 a.m. or Soon Thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

AGENDA

SWEARING IN OF COMMISSIONER(S)

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Planning Commission

1. Meeting of January 12, 2016.
2. Meeting of January 26, 2016.

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

1. Continued Agency Hearing (NONE)

2. New Agency Hearing

- a. Special Management Area Use Permit SMA(U)-2016-2 to construct a single-family residence on a parcel situated at the terminus of Nalo Road in Poipu, situated approx. 600 ft. mauka of its intersection with Hoone Road, further identified as 2289-A Nalo Road, Tax Map Key 2-8-027:023, and containing a total land area of 20,000 sq. ft. = ***POP Acquisition LLC***.

1. Director's Report pertaining to this matter.

F. HEARINGS AND PUBLIC COMMENT (Cont'd)

2. New Agency Hearing (Cont'd)

- b. Class IV Zoning Permit Z-IV-2016-8, Use Permit U-2016-7 and Special Permit SP-2016-3 to operate and construct a middle/high school facility on a parcel situated along the mauka side of Kuhio Highway in Kilauea, approx. 900 ft. south of the Kalihiwai Road/Kuhio Highway intersection and further identified as 5-2723 Kuhio Highway, Tax Map Key 5-2-017:028, and affecting a portion of a larger parcel approx. 15.17 acres in size = ***Anaina Hou Land LLC***. **POSTPONED 1/12/16.** [Director's Report received by Clerk of the Commission, Michael Dahilig 2/9/16.]

1. Supplemental No. 1 Director's Report pertaining to this matter.

3. Continued Public Hearing (NONE)

4. New Public Hearing

- a. Zoning Amendment ZA-2016-3: A bill for an ordinance Amending Chapter 8, Kauai County Code 1987, as amended, relating to Definitions = ***County of Kauai, Planning Department***.

1. Director's Report pertaining to this matter.

5. All remaining public testimony pursuant to HRS 92 (Sunshine Law)

G. CONSENT CALENDAR

1. Status Reports (NONE)

2. Director's Report(s) for Project(s) Scheduled for Agency Hearing on 3/8/16. (NONE)

H. EXECUTIVE SESSION

1. Pursuant to Hawaii Revised Statutes sections 92-4, 92-5(a)(4), the purpose of this executive session for the Planning Commission is to consult with the County's legal counsel on questions relating to Zoning Amendment ZA-2016-3 Definition of Applicant. This consultation involves consideration of the Commission's powers, duties, privileges, immunities, and/or liabilities with regard to this agenda item.

I. GENERAL BUSINESS MATTERS

1. Planning Director Michael A. Dahilig's Petition to Modify or Revoke Applicant Coco Palms Hui, LLC's Permits and Issue and Order to Show Cause and Set Hearing; Memorandum in Support of Petition; Declaration of Michael A. Dahilig; Notice of Meeting; Certificate of Service for Class IV Zoning Permit Z-IV-2015-8, Project Development Use Permit PDU-2015-7, Variance Permit V-2015-1 and Special Management Area Use Permit SMA(U)-2015-6 = ***Coco Palms Hui, LLC***.
 - a. PR II Coco Palms, LLC's Petition to Intervene; Memorandum in Support of Petition; Declaration of Jennifer A. Lim; Exhibits 1 to 2; Certificate of Service (2/12/16).
2. Discuss Salary Commission Findings of February 5, 2016 and any Potential Correspondence.

I. GENERAL BUSINESS MATTERS (Cont'd)

3. Informational Presentation on the Status of the General Plan Update and Six-Year Capital Improvement Program Report.

- a. Six-Year Capital Improvement Program Report, FY 2015/16 – FY 2020/21.

J. COMMUNICATION (For Action) (NONE)

K. COMMITTEE REPORTS

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

L. UNFINISHED BUSINESS (For Action)

M. NEW BUSINESS

1. **For Action – See Agenda F for Project Descriptions**

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawai'i 96766 on **Tuesday, March 8, 2016.**

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes (“H.R.S.”), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050.

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
Līhu'e Civic Center, Mo'ikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Hawaii 96766

Tuesday, February 23, 2016, 8:30 A.M.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Subdivision Committee

1. Meeting of January 12, 2016.

E. RECEIPT OF ITEMS FOR THE RECORD (None)

F. HEARINGS AND PUBLIC COMMENT

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

G. GENERAL BUSINESS MATTERS (None)

H. UNFINISHED BUSINESS (None)

I. NEW BUSINESS (For Action)

1. Tentative Subdivision Approval
 - a. Subdivision Application No. S-2016-13
(CLISE PROPERTY TRUST)
Proposed 2-lot Subdivision
TMK: (4) 2-6-014:018
Kōloa, Kaua'i
 1. Subdivision Report pertaining to this matter.

I. NEW BUSINESS (For Action) (Cont'd)

2. Subdivision Extension Request

- a. Subdivision Application No. S-2012-12

(JEAN E. NADATANI)

Proposed 2-lot Subdivision

TMK: (4) 2-5-003:006

Lāwaʻi, Kauaʻi

1. Subdivision Report pertaining to this matter.

- b. Subdivision Application No. S-2013-8

(PRINCEVILLE PRINCE GOLF COURSE, LLC.)

Proposed 9-lot Subdivision

TMK: (4) 5-3-006:025

Princeville, Kauaʻi

1. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Suite A473, Lihuʻe, Hawaiʻi 96766. Telephone: (808) 241-4050.

Pursuant to Section 8-27.8 (6) of the Kauaʻi County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

February 23, 2016

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Reasons
SSD-2015-33	Graham MacMillan	2-6-003:006	Koloa	Residence, walkway, trellis